

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-2150

Larry Craigmyle,

Appellant,

v.

U.S. Government,

Appellee.

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* Appeal from the United States

* District Court for the

* Eastern District of Arkansas.

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* [UNPUBLISHED]

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Submitted: July 5, 2006

Filed: July 12, 2006

Before COLLOTON, BEAM, and HANSEN, Circuit Judges.

PER CURIAM.

Larry Craigmyle appeals the district court's¹ adverse grant of summary judgment to the United States in this medical malpractice action brought under the Federal Tort Claims Act, 28 U.S.C. §§ 2671-80. Following our careful review, we affirm because Craigmyle's complaint allegations demonstrate that he knew, or in the exercise of reasonable diligence should have known, the cause and existence of his injury more than two years before he filed his administrative claim. See T. L. ex rel. Ingram v. United States, 443 F.3d 956, 961-62 (8th Cir. 2006) (medical malpractice

¹The Honorable James M. Moody, United States District Judge for the Eastern District of Arkansas.

claim against United States is jurisdictionally barred unless administrative claim was filed with appropriate agency within two years after plaintiff actually knew, or in exercise of reasonable diligence should have known, cause and existence of his injury); Osborn v. United States, 918 F.2d 724, 729-730 (8th Cir. 1990) (standard of review).

Accordingly, we affirm. See 8th Cir. R. 47B.
